

COURT-HOUSE BUILDING IN THE CITY OF BALTIMORE.

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LETTER

FROM

THE SECRETARY OF THE TREASURY,

RELATIVE

*To the construction of a United States court-house in the city of Baltimore, Maryland.*

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FEBRUARY 9, 1859.—Referred to the Committee of Ways and Means, with instructions to report a bill providing for the reappropriation of the sum of \$200,000, heretofore appropriated for the erection of a court-house in the city of Baltimore, and ordered to be printed.

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TREASURY DEPARTMENT,  
*February 7, 1859.*

SIR: In answer to the resolution of the House of Representatives of December 23, 1858, requesting "the Secretary of the Treasury to communicate to this House whether he has taken any, and what, action to carry out the provisions of the act of Congress appropriating money toward the construction of a United States court-house in the city of Baltimore," I would respectfully report: The accompanying letter from the Bureau of Construction will give the reasons for not commencing the construction of the building immediately after the passage of the law. Being delayed to the period of the late revulsion, its commencement was postponed in common with all other public buildings under the charge of this department not previously contracted for.

The attention of Congress was called to this subject in my first annual report of December 8, 1857, in which I said: "There are other public works of less necessity which, for a variety of causes, have not been commenced. A temporary postponement of them will violate no existing contracts; will deprive no one of employment to which he is authorized to look; will inflict no wrong upon any portion of the people; but will enable the government to realize its means in advance of its expenditure of them, and perhaps avoid the necessity of increasing the public debt. A system of public economy, regardful alike of the just claims of the people and the protection of the

treasure and credit of the government, must command the approval of the country; and it is upon such principles it is proposed to conduct the financial department of the government in the present crisis."

The subject was again brought to the attention of Congress in my annual report of December 6, 1858, in which I stated: "No new buildings have been begun since the adjournment of Congress. In my last report I called the attention of Congress to the fact that, owing to the condition of the treasury, the department had postponed the building of a portion of the public works authorized by previous acts of Congress. To have commenced them at that time, or at any period since, would have required the borrowing of the means to construct them. The silence of Congress on the subject indicated their approval of the policy. The condition of the treasury at present is not more favorable for the construction of such buildings. At a time when the necessities of the government demand an increase of taxation I should not feel justified in recommending the construction of such works as are not urgently demanded for the public service. It will be for Congress to decide, in providing the necessary means for the next fiscal year, whether or not they will impose an increased tax for such a purpose."

I have made these references to former reports for the purpose of showing not only the reasons for the action of the department, but also that those reasons have been submitted to the consideration of Congress. Whilst my opinions have been freely communicated to Congress against the policy and necessity of constructing many of these buildings, I have not and shall not set up my own judgment against that of the law-making power; and however well satisfied I may be that the construction of a public building authorized by law is unnecessary, I should not feel at liberty to disregard the requirement of the law, provided the department is supplied with the necessary means to carry it out. Where, however, the law requires various things to be done, and the means of the government are inadequate to the whole requirement, the department charged with its execution is compelled to exercise a discretion in postponing such expenditure as can be avoided with the least injury to the public service. Acting upon this rule, I have postponed the commencement of the various public buildings under the charge of this department which had not been undertaken previous to the late revulsion.

If Congress should now direct that these buildings, or any portion of them, be commenced and completed, without regard to the available means of the treasury, the department would not hesitate to carry out the direction, and look to the future action of Congress to supply any deficiency that might thereby be created in the treasury. If, however, no additional legislation should be had on the subject, I shall feel it to be my duty to act upon the rule already adopted. In that event, these public buildings will be undertaken as soon as the legislation of Congress shall provide the treasury with the necessary means to meet these and other liabilities. Should Congress, therefore, at its present session, provide by law for thus supplying the wants of the treasury, I shall direct the commencement of these works at as early a day thereafter as it can be done.

It is proper to add, that there exists at present a different state of things from what was the case at the adjournment of the last session. The reaction which has already taken place in the business and prosperity of the country will enable the department to calculate with more confidence upon its estimated receipts than during a time of revulsion and depression.

I am, very respectfully,

HOWELL COBB,  
*Secretary of the Treasury.*

Hon. JAMES L. ORR,  
*Speaker of the House of Representatives.*

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[Official.]

TREASURY DEPARTMENT, OFFICE OF CONSTRUCTION,  
*Washington, D. C., February 7, 1859.*

SIR: Referring to the resolution (herewith enclosed) of the House of Representatives requesting you to communicate any, and what, action had been taken to "carry out the provisions of the act of Congress appropriating money toward the construction of a United States court-house in the city of Baltimore," I have the honor to report, that the act referred to in the resolution (approved August 18, 1856,) appropriated the sum of two hundred thousand dollars to "procure and pay for a site," "and to erect thereon a fire-proof building for such purpose, on such plan as the President may approve," &c. Under this act your predecessor, by the direction of the President, conditionally purchased the property known as the "Masonic Temple," in Baltimore, (and a contiguous building,) and the title papers therefor were duly prepared and submitted to the Attorney General. Difficulties arising under their examination which rendered the matter unsatisfactory to your predecessor, a consummation of the purchase was delayed. Subsequently, the parties offering the "Masonic Temple" property advanced their demand from \$50,000 to \$65,000, when the purchase was abandoned and a new location sought.

A conditional purchase was afterwards made of the property known as the "Presbyterian Church" under this act, its title examined, found defective, and the papers returned to the vendors.

No other purchases have since been made. Various sites have been offered, and their merits urged by the parties desiring to sell, but no definite action has been had upon their proposals.

I have the honor to be, very respectfully, your obedient servant,  
S. M. CLARK,

*Chief Clerk Office of Construction, Treasury Department.*

Hon. HOWELL COBB,  
*Secretary of the Treasury.*

